

I, Kenton L. Oliver, declare:

1. I make this declaration based on personal knowledge. If called upon to testify, I could and would testify competently to the following facts.

2. I have served as a library director or assistant library director since 1981, and am the current Library Director for the Nashville Public Library (“NPL”) in Nashville, Tennessee, a position I have held since 2012.

A. Summary of Opinions

3. The books removed from the public library in Llano County are of interest and in demand for public library collections across the United States, and many of these books are currently in public library collections across the country, including the public library for which I am the Director.

4. The books removed from the public library in Llano County have been found to have serious literary, artistic, political, or scientific value, as evidenced by the fact that they are in public library collections across the country and have received numerous professional awards and reviews.

5. If Llano County officials removed or restricted access to these books because they disagreed with, disliked, or were offended by their content and/or subject matter, Llano County officials violated their own collection policies and American Library Association (“ALA”) professional standards by removing these books from library shelves and terminating access to more than 17,000 books in the County’s digital collection.

B. Qualifications

6. I have extensive experience as a director and senior manager in libraries of varying sizes located in diverse communities, including the following positions: Executive Director of the Stark County District Library in Canton, Ohio from November 2001 through May 2012; Associate Director for Branch Services for the Johnson County Library in Overland Park, Kansas from September 1995 through October 2001; Library Director of the Olathe Public Library in Olathe, Kansas from March 1988 through August 1995; and Head of Public Services

for the Daniel Boone Regional Library in Columbus, Missouri from September 1981 through March 1988. I was also a Reference Librarian for the Topeka Public Library in Topeka, Kansas from September 1977 through August 1981. A true and correct copy of my *curriculum vitae* is attached as **Exhibit 1**.

7. I received a B.A. from Washburn University in Topeka, Kansas in 1977 and a Master of Library Science degree from Emporia State University in Emporia, Kansas in 1979.

8. I am a frequent speaker at state and national library conferences and was a presenter at the Sharjah International Library Conference in 2019. I have also served as the president of two state library associations.

9. I have also been a member of several associations focused on the principles that guide librarians in the profession, including the ALA, Freedom to Read Foundation, Urban Libraries Council, Ohio Library Council, Kansas Library Association, and the Missouri Library Association.

10. I have extensive experience in developing library policies and procedures in conjunction with library boards and local government officials. I have experience in strategic planning, prioritization, and service analysis at many levels of library management. I have been successful in establishing formal service partnerships and collaborations with community groups, state and local political leaders, and government entities.

11. I also have extensive experience in collection development for public libraries. Collection development is the process by which librarians select materials for the community that they serve.

C. Guiding Principles and Professional Standards

12. A common saying in my profession is that “communities build collections,” meaning that public libraries exist as a repository for all of the titles in demand by the community as a whole—not just those in demand by the most popular or loudest segments of the community. This principle guides my professional approach to collection development.

13. The purpose of a public library is to provide members of the community with access to a wide and diverse range of materials and information. Community members utilize the public library to conduct research, gather news, read for pleasure, and interact with other community members. Outside the confines of school required reading, children are free to explore a wide array of books that will further enhance their joy of reading, develop critical thinking, and allow for a lifetime of intellectual growth.

14. Digital collections have become a preferred mode of reading for many public library patrons. Digital resources also allow community members unable to physically visit the library to nonetheless have access to a broad range of audio and reading materials in their own homes.

15. I am recognized nationally as a library leader through my participation in ALA's executive board and committee levels. ALA is a non-profit organization committed to the preservation of the library as a resource indispensable to the intellectual, cultural, and educational welfare of the country. ALA also helps support libraries and librarians across the nation by drafting and publishing industry standards and best practices for the library profession. These guiding principles are set forth in ALA's *Library Bill of Rights*, *The Freedom to Read*, and *Access to Library Resources and Services for Minors*. These documents speak to the importance of full and wide access to information in public libraries and the essential component of neutrality when building a well-rounded collection of all viewpoints in the community.

16. The ALA's *Library Bill of Rights* makes clear that censorship based on viewpoint violates the core value of preserving intellectual freedom. As set forth in the *Library Bill of Rights*, "[b]ooks and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves" and "[m]aterials should not be excluded because of the origin, background, or views of those contributing to their creation." Additionally, "[l]ibraries should provide materials and information presenting all points of view on current and historical issues" and "[m]aterials should not be proscribed or removed because of partisan or doctrinal disapproval." Moreover, "[a] person's right to use a library should not be

denied or abridged because of origin, age, background, or views.” I reference and abide by the *Library Bill of Rights* in my own collection development decisions as Director of the Nashville Public Library, and recommend all public libraries adopt and incorporate the *Library Bill of Rights* into their written collection development policies. A true and correct copy of the *Library Bill of Rights* is attached as **Exhibit 2**.

17. The ALA’s *The Freedom to Read* supports the principles of intellectual freedom embodied in the *Library Bill of Rights*. Pursuant to *The Freedom to Read*, “[i]t is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.” It continues that although “[p]ublishers, librarians, and booksellers do not need to endorse every idea or presentation they make available,” it “would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.” Like countless other professionals in my field, I reference and am guided by *The Freedom to Read* in my own collection development decisions as Director of the Nashville Public Library. A true and correct copy of *The Freedom to Read* is attached as **Exhibit 3**.

18. The ALA’s *Access to Library Resources and Services for Minors* clarifies that the profession’s commitment to providing access for all patrons includes the obligation to preserve intellectual freedom principles for minors as well as adults. Pursuant to *Access to Library Resources and Services for Minors*, “[l]ibrary policies and procedures that effectively deny minors equal and equitable access to all library resources and services available to other users” violate the *Library Bill of Rights* and librarians should “oppose[] all attempts to restrict access to library services, materials, and facilities based on the age of library users.” Instead, librarians “should maintain that only parents and guardians have the right and the responsibility to determine their children’s—and only their children’s—access to library resources.” Like many other professionals in my field, I reference and am guided by *Access to Library Resources and Services for Minors* in my own collection development decisions as Director of the Nashville

Public Library. A true and correct copy of *Access to Library Resources and Services for Minors* is attached as **Exhibit 4**.

19. These objective professional standards and established review procedures enable me and other public librarians to select materials in a neutral process that meets the diverse needs of our communities without interference from personal bias. As public librarians, we select materials for our collections that will be of interest to diverse community members, including materials focused on topics such as gender identity, sex, sexuality, and race. In making those selections, public librarians are aware of the laws that prohibit dissemination of material unprotected by the First Amendment and select materials of serious literary, artistic, political, and scientific value that would not meet the definition of obscenity. Part of our job as public librarians is to ensure that we are not choosing obscene material for library shelves.

20. Public librarians also rely on legitimate book review sources, such as professional journals, established book reviewers, and award lists to ensure that we are employing professional standards in evaluating and selecting materials for our collections.

D. Substantive Opinions

21. It is my understanding that public officials in Llano County, Texas have removed several books from the public library collection and have terminated access to over 17,000 digital books.

1. Llano County's Physical Collection

22. It is my understanding that the books removed from Llano County's physical collection include at least the following: (1) *Caste: The Origins of Our Discontent* by Isabel Wilkerson; (2) *They Called Themselves the K.K.K.: The Birth of an American Terrorist Group* by Susan Campbell Bartoletti; (3) *Spinning* by Tillie Walden; (4) *In the Night Kitchen* by Maurice Sendak; (5) *It's Perfectly Normal: Changing Bodies, Growing Up, Sex and Sexual Health* by Robie Harris; (6) a read-aloud picture book series including *My Butt is So Noisy!*, *I Broke My Butt!*, and *I Need a New Butt!* by Dawn McMillan; (7) a read-aloud picture book series including *Larry the Farting Leprechaun*, *Gary the Goose and His Gas on the Loose*, *Freddie the Farting*

Snowman, and *Harvey the Heart Has Too Many Farts* by Jane Bexley; (8) *Being Jazz: My Life as a (Transgender) Teen* by Jazz Jennings; (9) *Shine* by Lauren Myracle; (10) *Gabi, a Girl in Pieces* by Isabel Quintero; and (11) *Freakboy* by Kristin Elizabeth Clark.

23. I am familiar with these books and have examined their reviews in professional journals, established book review sources, and award lists, as I would typically do during my routine collection development process at the Nashville Public Library. Based on those reviews and award lists, it is my opinion that these books would be selected by public librarians for book collections across the country. In fact, a search in Worldcat®, the largest online library catalog, demonstrates that these titles are held in library collections around the world and throughout the United States. A search of the Texas Group Catalog demonstrates that libraries throughout the state have these titles in their collections. Many of these books are also available in my own collection at the Nashville Public Library.

24. It is also my opinion that the books that have been removed have serious literary, artistic, political, or scientific value, as demonstrated by the fact that they (i) are available in public library collections all over the country, many of which are in my own collection in the Nashville Public Library, (ii) are screened for obscenity by librarians across the country before they are added to such collections, (iii) they were screened, or should have been screened for obscenity by Llano County before they were shelved, and (iv) have received numerous professional reviews and awards. I am unaware of any public library that purchases obscene materials for its collection. Moreover, the fact that professional library journals and publishing journals have reviewed these books demonstrates that they are not obscene; such professional sources would not and do not review obscene materials.

25. In *Caste: The Origins of Our Discontent*, Isabel Wilkerson, a Pulitzer Prize winning journalist, explores race and caste systems in India and Nazi Germany, and their hidden existence in the social order formed in the United States. The book is a *New York Times* Bestseller and has won numerous awards, including the National Book Award, the *Los Angeles Times* Book Prize. It was named the #1 Nonfiction Book of the Year by *Time* magazine. It was

named as one of the best books of the year by a multitude of reviewers including *Bloomberg*, the *Christian Science Monitor*, the *New York Times*, *Fortune* magazine, and the *Smithsonian* magazine. This title has received starred reviews¹ from *Kirkus Reviews*, *Publisher's Weekly*, *Library Journal*, and *Booklist*. The *Wall Street Journal* praised the author for combining “impressive research.... with great narrative and literary power” and stated that her work “humanizes history, giving it emotional and psychological depth.” This book is available in my collection at the Nashville Public Library in print, eBook, and audiobook formats. Based on the subject matter, positive reviews and awards received by this author, it is my professional opinion that this title would be of interest and in demand for public library collections across the United States.

26. In *They Called Themselves the K.K.K.: The Birth of an American Terrorist Group*, Susan Campbell Bartoletti recounts how the K.K.K. was formed during the era of Reconstruction and focuses her narrative on the impact on the victims of the organization. The title has won numerous awards including being named an ALA Notable Book, the 2010 *Kirkus* Best Books for Teens, the 2011 Notable Books for a Global Society, and the School *Library Journal* Best Children's Book of the year in 2010. The book was a Finalist Honor winner for the 2011 Young Adult Library Services Association's Award for Excellence in Nonfiction. It also received starred reviews from *Kirkus Reviews*, *Publisher's Weekly*, the *Horn Book*, *Booklist*, and the *School Library Journal*. The *Horn Book* called the book “[e]xemplary in scholarship, interpretation, and presentation.” *Booklist* stated that the author “writes in admirably clear, accessible language about one of the most complex periods in U.S. history” and that this title “should be required reading for young people as well as the adults in their lives.” This book is in my collection at the Nashville Public Library in print, eBook, and audiobook formats. Based on the subject matter, positive reviews and awards received by this author, it is my professional

¹ A starred review is a designation by a professional library journal, publishing journal, or reviewer that indicates the high quality of the work.

opinion that this title would be of interest and in demand for public library collections across the United States.

27. *Spinning* by Tillie Walden is a memoir in which the author recounts her childhood in the world of competitive skating, her struggles with coming out as a homosexual, her experiences being bullied, and her sexual harassment by a male tutor. The author has won many awards including the New York City Public Library Notable Best Book for Teens, the Chicago Public Library Best Book of 2017, the 2018 YALSA Great Graphic Novel, the 2017 *Booklist* Youth Editor's Choice, and the Eisner Award. It also has received many starred reviews, including from *Kirkus Reviews*, *Publisher's Weekly*, and *Booklist*. *Booklist* called it a "stirring, gorgeously illustrated story of finding the strength to follow one's own path" and *Kirkus Reviews* found it to be a "quiet powerhouse of a memoir." The *School Library Journal* concluded that the book is "[a]n honest and intimate coming-of-age story that will be appreciated by tweens and young teens, especially those in competitive sports." This book is in my collection at the Nashville Public Library in print and eBook formats. Based on the subject matter, positive reviews and awards received by this author, it is my professional opinion that this title would be of interest and in demand for public library collections across the United States.

28. *In the Night Kitchen* by Maurice Sendak relates the dream fantasy of a little boy having a nighttime adventure in a bakers' kitchen. The author has received many awards including being named the 1971 Caldecott Honor Book. The book was included in ALA's Notable Children's Books of 1940-1970, the *New York Times* Outstanding Children's Books of 1970, and the *New York Times* Best Illustrated Children's Books of 1970. The title also has received numerous positive reviews. *Booklist* called it a "[p]ure delight for young children." *Kirkus Reviews* found the illustrations to be "superb" and the main character "pure joy." *Common Sense Media* concluded that the book was "[m]arvelous" and "so vividly drawn that readers almost live the dream, before returning safely to bed." This book is in my collection at the Nashville Public Library in print and audiobook formats. Based on the positive reviews and

awards received by this author, it is my professional opinion that this title would be of interest and in demand for public library collections across the United States.

29. *It's Perfectly Normal: Changing Bodies, Growing Up, Sex and Sexual Health* by Robie Harris is a comprehensive sex-education guide designed for pre-adolescent children and their parents. The author has received numerous awards, including being named an ALA Notable Book in 1995 and 1995 Best Book of the Year by the *New York Times*. The author was presented with the *Boston Globe* Horn Award and the book has been hailed as an important resource for teenagers by the *School Library Journal*, *The Bulletin for the Center of Children's Books*, and *Booklist*. *Publishers Weekly* found the book to be "intelligent, amiable and carefully researched." *School Library Journal* concluded that "[t]his frank, fresh consciousness-raiser not only gives readers of both sexes straight information about current or upcoming changes in their bodies and emotional landscapes, but also presents an exemplary argument for the idea that scientific knowledge is inextricably intertwined with every aspect of our lives." This book is in my collection at the Nashville Public Library in print format. Based on the subject matter, positive reviews, and awards received by this author, it is my professional opinion that this title would be of interest and in demand for public library collections across the United States.

30. Dawn McMillan's read-aloud picture book series including *My Butt is So Noisy!*, *I Broke My Butt!*, and *I Need a New Butt!* is exactly the type of series that would be selected by public librarians for their children's room collection to encourage young children to read. Reluctant young readers that begin reading books with funny themes at a young age are more likely to become captivated by books and continue reading as they grow older. This series is highly rated on *GoodReads*. A book in this series is in my collection at the Nashville Public Library in print format. Based on the reviews, it is my professional opinion that this is a series that would be of interest for a public library children's room collection.

31. Jane Bexley's read-aloud picture book series including *Larry the Farting Leprechaun*, *Gary the Goose and His Gas on the Loose*, *Freddie the Farting Snowman*, and *Harvey the Heart Has Too Many Farts* also would be included in a children's room collection.

Books with funny themes motivate children to become interested in books and reading, and to develop a lifelong love for reading and learning. This series is highly rated on *GoodReads*. It is my professional opinion that this is a type of picture book series would be of interest for a public library children's room collection.

32. *Being Jazz: My Life as a (Transgender) Teen* by Jazz Jennings is a memoir recounting the young author's coming out as transgender, her transition, and her activism on behalf of transgender youth. The author has received many awards including Equality Florida's "Voice for Equality" Award and the Harvey Milk and Pride Center's Diversity Honors Youth Award in 2015. The book was included in the 2017 Rainbow List for Young Adult Nonfiction. Jazz Jennings was named as one of *Time* magazine's Most Influential Teens for 2014-2015 and *Huffington Post*'s 14 Most Fearless Teens of 2014. The title has had numerous positive reviews. *Booklist* stated that the story is "an important addition to the slender but growing body of transgender literature and belongs in every library." This book is available in my collection in the Nashville Public Library in print, eBook, and audiobook formats. Based on the subject matter, positive reviews, and awards received by this author, it is my professional opinion that this title would be of interest and in demand for public library collections across the United States.

33. *Shine* by Lauren Myracle is a novel in which the main character who has been isolated from friends for several years after being sexually assaulted reenters the world to solve the mystery of who brutally beat her best friend in a gay-bashing incident. The author has received numerous positive reviews. *Kirkus Reviews* called the title "[r]aw, realistic and compelling." The *Los Angeles Times* found it to be "[d]ramatic in both content and presentation." *School Library Journal* found that "Myracle captures well the regret that many feel for things in their past about which they are ashamed" and that the main character's "reflections on these moments are spot-on." The book was awarded the Amelia Elizabeth Walden Award for young adult fiction and was included in the YALSA 2014 Popular Paperbacks for Young Adults. This book is available in my collection in the Nashville Public Library in print and eBook formats. Based on the subject matter, positive reviews, and awards received by this author, it is my

professional opinion that this title would be of interest and in demand for public library collections across the United States.

34. *Gabi, a Girl in Pieces* by Isabel Quintero is a novel whose main character is a young Mexican American girl living in a bicultural and bilingual community. The author has received numerous positive reviews. *Kirkus Reviews* found it to be a “fresh, authentic and honest exploration of contemporary Latina identity.” The *Horn Book* concluded that “[b]listeringly honest diary entries mix with poetry to create a beautifully distinct and powerful voice.” The novel has won numerous awards including the William C. Morris Award for Young Adult Debut Novel, the *School Library Journal* Best Books of 2014, YALSA Best Fiction for Young Adults, and the *Booklist* Best Books of 2014. This book is available in my collection in the Nashville Public Library in print, eBook, and audiobook formats. Based on the subject matter, positive reviews, and awards received by this author, it is my professional opinion that this title would be of interest and in demand for public libraries’ collections across the United States.

35. *Freakboy* by Kristin Elizabeth Clark is a novel that explores the challenges of growing up transgender. The author has received many positive reviews and accolades. For example, the *School Library Journal* found that the author “succeeds in conveying the message that ‘you are not alone’ to transgender youth while helping everyone else get a handle on these often-tortured teens.” *Publishers Weekly* found the book to be “a gripping story about a complex topic.” *Horn Book* concluded that the book is a “sincere, profound rendering of sexuality, queerness, and identity.” This book is available in my collection the Nashville Public Library in eBook format. Based on the subject matter and positive reviews received by this author, it is my professional opinion that this title would be of interest and in demand for public library collections across the United States.

36. If Llano County public officials removed these books because they disagreed with or were offended by the viewpoints expressed in those books, it is my professional opinion that it constitutes censorship in violation of basic intellectual freedom principles and ALA professional standards. This type of censorship violates the basic tenets and purposes of public libraries,

which exist to serve communities with diverse viewpoints and values and give those communities broad and unrestricted access to diverse information and ideas.

37. Additionally, it is my understanding that Llano County's library collection policies incorporated the ALA's *Library Bill of Rights*. If Llano County public officials removed these books because they conflicted with their personal beliefs, such action would violate the County's own collection policies in addition to professional best practices and suggest improper motivation and viewpoint decision-making with respect to the library collection.

38. It is also my understanding that Llano County public officials removed books from the children's room and placed those books on adult shelves. It is my opinion that the removal of these books to other areas of the library also violates basic intellectual freedom principles and violates the principles of ALA's *Library Bill of Rights* and *Access to Library Resources and Services for Minors*, which recognize that minors should have the right to equal access to library materials and should be restricted only by their own parents. Children and their parents should have the opportunity to browse shelves and discover books of interest to them that have been chosen by library professionals as appropriate selections for a children's room or young adult section of the library without having to search for books that have been removed to another area of the library.

2. Llano County's Digital Collection

39. It is also my understanding that Llano County public officials terminated patrons' access to over 17,000 digital books to prevent all patrons from accessing two books that the public officials disagreed with but could not remove from the digital collection: (1) *Lawn Boy* by Jonathan Evison; and (2) *Gender Queer* by Maia Kobabe.

40. I am familiar with these two books and have examined their reviews in professional journals, established book review sources, and award lists. It is my opinion these books would be selected by public librarians for book collections throughout the United States. A search in Worldcat®, the largest online library catalog, demonstrates that these titles are held in library collections around the world and throughout the United States. A search of the Texas

Group Catalog demonstrates that libraries throughout the state have these titles in their collections. These two books are in my collection in the Nashville Public Library.

41. It is also my opinion that neither of these books comes anywhere close to being obscene for the same reasons I stated above. They have serious literary, artistic, and political value, as demonstrated by the fact that they (i) are available in public library collections all over the country, including in my own collection in the Nashville Public Library, (ii) are screened for obscenity by librarians across the country before they are added to such collections, and (iii) have received numerous professional reviews and awards. I am unaware of any public library that purchases obscene materials for its collection. Moreover, the fact that professional library journals and publishing journals have reviewed and praised these books demonstrates that they are not obscene; such professional sources would not and do not review obscene materials.

42. *Lawn Boy* by Jonathan Evison is a coming-of-age story about a biracial young man that has received numerous positive reviews. For example, the *School Library Journal* called it a novel that “takes on tough issues such as race, sexual identity, and the crushing weight of American capitalism” and urged librarians to “[g]ive this flawed but exciting coming-of-age story to teens eager to engage with heavy and political issues.” *Kirkus Reviews* called it a “book about triumphing over obstacles, and obstacles, and obstacles, and more obstacles.” *Lawn Boy* has received the Alex Award from the Young Adult Library Services Association and was a *Booklist* 2018 Editors Choice. This book is available in my collection in the Nashville Public Library in print, eBook, and audiobook formats. Based on the subject matter, positive reviews, and awards received by this author, it is my professional opinion that this title would be of interest and in demand for public library collections across the United States.

43. *Gender Queer* by Maia Kobabe is a graphic memoir² about gender and sexuality from the perspective of someone who is nonbinary and asexual. The author has received numerous awards and accolades including the Alex Award in 2020, ALA YALSA Best Books of

² A “graphic” memoir or novel is a story told in comic book format rather than traditional prose.

2020, Chicago Public Schools Great Graphic Novels in 2021, Denver Public Schools Top 100 High School Books for 2020-21, Iowa High School Battle of the Books in 2021. The title was named as recommended reading for Jefferson County, Kentucky Public Schools for high school students. The Texas Library Association named it as a title for their Maverick Graphic Novel Reading List in 2020. It also has received numerous positive reviews. *School Library Journal* called it a “great resource for those who identify as nonbinary or asexual as well as for those who know someone who identifies that way and wish to better understand.” This book is available in my collection in the Nashville Public Library in print and eBook formats. Based on the subject matter, positive reviews, and awards received by this author, it is my professional opinion that this title would be of interest and in demand for public library collections across the United States.

44. It is my opinion that the removal of 17,000+ digital books and materials from patron access because of the inability to remove *Lawn Boy* and *Gender Queer* from the catalog violates basic intellectual freedom principles and ALA’s professional standards. This type of censorship violates the basic tenets and purposes of public libraries, which exist to serve communities with diverse viewpoints and values and give those communities broad and unrestricted access to diverse information and ideas. Moreover, digital resources have become a primary means of access to public library materials for library patrons, particularly for the elderly, persons with physical disabilities, and persons with limited financial resources who may not have the means for frequent visits to the library.

E. Conclusion

45. In sum, my expert opinions are as follows: (1) the books removed in Llano County would be and are of interest and in demand for public library collections across the United States; (2) they have serious literary, artistic, political, or scientific value; and (3) Llano County officials would have violated their own policies as well as professional standards and best practices by removing or restricting access to these books and by terminating the County’s

digital collection if they made these decisions because they disagreed with, disliked, or were offended by the viewpoints contained within these books.

46. I am not being paid to offer my expert opinions in this case.

I swear under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: May 5, 2022

By:

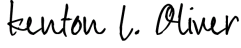
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Kenton L. Oliver

EXHIBIT 1

Kenton L. Oliver
kentoliver@msn.com

QUALIFICATIONS

- A proven national leader in the library field
- Extensive experience as a director and senior manager in libraries of varying sizes located in diverse communities
- Skilled in the areas of advocacy, strategic planning, collaborative thinking, fiscal accountability, policy development, facility planning and public service
- Involved in library policy planning nationally with a keen understanding of challenges facing libraries

EMPLOYMENT HISTORY

Library Director

June 2012 – current

Nashville Public Library

Nashville, Tennessee

NPL serves the Nashville-Davidson County Metropolitan area of 690,000 citizens with 21 locations, a staff of 390 and an operating budget of approximately \$34,000,000. NPL is recognized nationally and internationally for its innovative collaborations and programs in the areas of civil rights, voter rights, literacy, and education. In 2017 NPL received the Gale/Cengage Library of the Year Award presented by *Library Journal*.

Executive Director

November 2001 – May 2012

Stark County District Library

Canton, Ohio

SCDL serves an area of 250,000 residents through 10 locations and mobile services. The current fiscal year budget is \$14 million with a staff of nearly 245. In 2008 the circulation for the system topped four million items. Library strategic priorities include literacy, computer training and job assistance. The library consistently receives high rankings in its Hennen's American Public Library Rating category and is a three-time Library Journal Five Star Library. In 2009 SCDL was awarded the National Medal for Museum and Library Service by the Institute of Museum and Library Services.

Associate Director for Branch Services

September 1995 – October 2001

Johnson County Library

Overland Park, Kansas

JCL is a county library system with 13 facilities at this time serving 400,000 in the Kansas City Metropolitan area. The 2001 budget was more than \$18 million. Served in the capacity of the Assistant Director for Branch Services, a 12-branch division of the library with 100 FTE and a division budget of \$4.4 million. As a member of the JCL Administrative leadership team, oversaw an extensive library building program and provided leadership for the development of library services.

Kenton L. Oliver, Continued

Library Director

March 1988 – August 1995

Olathe Public Library

Olathe, Kansas

OPL provided library service to the fastest growing city in Kansas and a suburb of Kansas City.

Head of Public Services

September 1981 – March 1988

Daniel Boone Regional Library

Columbia, Missouri

Reference Librarian

September 1977 – August 1981

Topeka Public Library

Topeka, Kansas

AREAS OF EXPERIENCE

Leadership:

- Director of large public library systems serving culturally and economically diverse communities.
- Led a library through two successful library levy campaigns during challenging economic times.
- Has spearheaded the expansion of library services through new buildings and renovations.
- Recognized nationally as a library leader through participation at executive board and committee levels in the American Library Association. A frequent library program presenter at the state and national levels.
- Served as President of two state library associations as well as participating on numerous committees.
- Board member of bi-state metropolitan library network and other nonprofit organizations.
- Three-time President of a national foundation which defends intellectual freedom and the First Amendment.
- Numerous professional presentations nationally and internationally including the Sharjah International Library Conference in 2019.

Policy Development:

- Extensive experience in developing library policies and procedures as a library director working with a library board and local government officials.
- Expertise in creating solutions to complex library service issues working in tandem with the library administrative team.
- Experience in strategic planning, prioritization, and service analysis at many levels of library management.
- Successful in establishing formal service partnerships and collaborations with community groups, state and local political leaders and government entities.

Budget Experience:

- Extensive experience in the development and oversight of library budgets in collaboration with staff and library board. Experience ranges from library division budgets of \$4 million to library system budgets more than \$34 million.
- Provided budget oversight as a board member of a national association (American Library Association) on its budget review committee with a budget approaching \$50 million.

Kenton L. Oliver, Continued

Library Technology:

- Current and previous libraries have employed integrated library systems including CarlX, Innovative Interfaces and Dynix. Held sole or shared responsibility for decisions made in the development of those systems.
- Experience with the development of library Internet services, Website presence, social media and policies relating to those services.

Government Relations:

- Extensive experience in working with local, federal and state elected officials regarding library policy issues.
- Developed a leadership program for public officials in conjunction with an area Chamber of Commerce.
- Strong communication skills include the development of information packages, documents and information for City Council Members, County Commission Members, State Legislators and Federal Officials regarding public library budgets and services.
- Extensive experience in public speaking which includes presentations to governmental officials and at library events.

EDUCATION

Master of Library Science

Emporia State University, Emporia, Kansas, June 1979

Bachelor of Arts

Washburn University, Topeka, Kansas, May 1977

PROFESSIONAL ORGANIZATIONS

Freedom to Read Foundation

President, 2009 - 2012

Board member, 2004 - 2012

American Library Association

Presidential Nominee, 2009

Public Library Association Presidential Nominee, 2020

Member of Executive Board, 2001 - 2004

Kansas Chapter Councilor, 1995 - 2001

Member and chair of numerous committees

Urban Libraries Council

Member, current

Ohio Library Council

Member, 2001 - 2012

Kansas Library Association

Legislative Committee Chair, 1997 - 1999

President, 1992

Member, 1988 - 2001

Kenton L. Oliver, Continued

1991 White House Conference on Libraries and Information Services
Kansas Alternate

Missouri Library Association
President, 1987
Member, 1981 - 1988

COMMUNITY ACTIVITIES

Rotary Club of Downtown Nashville 2012 – current

Southern Word Advisory Committee 2013 – current

Alignment Nashville Board of Directors 2017 – current

Leadership Nashville Graduate 2014 and Alumni
Belle Meade United Methodist Church, Belle Meade, TN
Trustee, 2014 - 2016

Downtown Partnership, Nashville Tennessee
Board of Directors, 2012 - current

Rotary Club of Jackson Township, Ohio
Past President, current member
Chair, Vintage Jackson (Major Annual Fundraiser), 2004 - 2008

Canton Museum of Art, Canton, Ohio
Secretary, Board of Directors, 2008 - 2012

Church of the Lakes United Methodist Church, Canton, Ohio
Member, Finance Committee, 2007-2008

Canton, Ohio Chamber of Commerce
Graduate of Leadership Stark County, 2002
Member, Local Government Committee

Overland Park South Rotary Club
Paul Harris Fellow, 2000
Chair, Corporate Woods Jazz Festival, 1998 - 2001

EXHIBIT 2

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.
- VII. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.

Inclusion of "age" reaffirmed January 23, 1996.

Although the Articles of the *Library Bill of Rights* are unambiguous statements of basic principles that should govern the service of all libraries, questions do arise concerning application of these principles to specific library practices. See the documents designated by the Intellectual Freedom Committee as Interpretations of the Library Bill of Rights (<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations>).

EXHIBIT 3

Access to Library Resources and Services for Minors: An Interpretation of the Library Bill of Rights

The American Library Association supports equal and equitable access to all library resources and services by users of all ages. Library policies and procedures that effectively deny minors equal and equitable access to all library resources and services available to other users is in violation of the American Library Association's *Library Bill of Rights*. The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users.

Article V of the *Library Bill of Rights* states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." The right to use a library includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, apparent maturity, educational level, literacy skills, emancipatory or other legal status of users violates Article V. This includes minors who do not have a parent or guardian available to sign a library card application or permission slip. Unaccompanied youth experiencing homelessness should be able to obtain a library card regardless of library policies related to chronological age.

School and public libraries are charged with the mission of providing services and resources to meet the diverse interests and informational needs of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of providing library services and should be determined on an individual basis. Equitable access to all library resources and services should not be abridged based on chronological age, apparent maturity, educational level, literacy skills, legal status, or through restrictive scheduling and use policies.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. A library's failure to acquire materials on the grounds that minors may be able to access those materials diminishes the credibility of the library in the community and restricts access for all library users.

Children and young adults unquestionably possess First Amendment rights, including the right to receive information through the library in print, sound, images, data, social media, online applications, games, technologies, programming, and other formats.¹ Constitutionally protected speech cannot be suppressed solely to protect children or young adults from ideas or images a legislative body believes to be unsuitable for them.² Libraries and their library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections, because only a court of law can determine whether or not content is constitutionally protected.

Article VII of the *Library Bill of Rights* states, "All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use." This includes students and minors, who have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use.³

The mission, goals, and objectives of libraries cannot authorize libraries and their governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents and guardians. As "Libraries: An American Value" states, "We affirm the responsibility and the right of all parents and guardians to guide their own children's use of the library and its resources and services."⁴ Libraries and their governing bodies

cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child. Libraries and their governing bodies shall ensure that only parents and guardians have the right and the responsibility to determine their children's—and only their children's—access to library resources. Parents and guardians who do not want their children to have access to specific library services, materials, or facilities should so advise their own children. Libraries and library governing bodies should not use rating systems to inhibit a minor's access to materials.⁵

Libraries and their governing bodies have a legal and professional obligation to ensure that all members of the communities they serve have free and equitable access to a diverse range of library resources and services that is inclusive, regardless of content, approach, or format. This principle of library service applies equally to all users, minors as well as adults. Lack of access to information can be harmful to minors. Libraries and their governing bodies must uphold this principle in order to provide adequate and effective service to minors.

¹ *Brown v. Entertainment Merchant's Association, et al.* 564 U.S. 08-1448 (2011).

² *Erznoznik v. City of Jacksonville*, 422 U.S. 205 (1975): "Speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable for them. In most circumstances, the values protected by the First Amendment are no less applicable when government seeks to control the flow of information to minors." See also *Tinker v. Des Moines School Dist.*, 393 U.S.503 (1969); *West Virginia Bd. of Ed. v. Barnette*, 319 U.S. 624 (1943); *AAMA v. Kendrick*, 244 F.3d 572 (7th Cir. 2001).

³ "Privacy: An Interpretation of the *Library Bill of Rights* (<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy>)," adopted June 19, 2002, by the ALA Council; amended July 1, 2014; and June 24, 2019.

⁴ "Libraries: An American Value (<http://www.ala.org/advocacy/intfreedom/americanvalue>)," adopted on February 3, 1999, by ALA Council.

⁵ "Rating Systems: An Interpretation of the *Library Bill of Rights* (<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/rating-systems>)," adopted on June 30, 2015, by ALA Council; amended June 25, 2019.

Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991; June 30, 2004; July 2, 2008 *under previous name* "Free Access to Libraries for Minors"; July 1, 2014; and June 25, 2019.

EXHIBIT 4

The Freedom to Read Statement

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

A Joint Statement by:

American Library Association (/)

Association of American Publishers (<http://www.publishers.org/>)

Subsequently endorsed by:

American Booksellers for Free Expression (<http://www.bookweb.org/abfe>)

The Association of American University Presses (<http://www.aaupnet.org/>)

The Children's Book Council (<http://www.cbcbooks.org/>)

Freedom to Read Foundation (<http://www.ft rf.org>)

National Association of College Stores (<http://www.nacs.org/>)

National Coalition Against Censorship (<http://www.ncac.org/>)

National Council of Teachers of English (<http://www.ncte.org/>)

The Thomas Jefferson Center for the Protection of Free Expression